

NOTICE OF OBJECTION TO CONFIRMATION

DEAN HECKER, individually and as Executor of the Estate of Marlene Hecker has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Tomes Law Firm, P.C.  
1 West Main Street, 3<sup>rd</sup> Fl.  
Freehold, NJ 07728

Albert Russo, Trustee  
CN4853  
Trenton, NJ 08650

2. Attend the hearing scheduled to be heard on 06/10/2020 at 10:00 a.m. in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: May 19, 2020

/s/ Frances A. Tomes  
Frances A. Tomes, Esq.  
Tomes Law Firm, P.C.  
1 West Main Street  
Freehold, NJ 07728  
Tel: (732) 333-0681  
Fax: (732) 333-0682  
Email: Ftomes@tomeslawfirm.com

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Trenton Vicinage

Frances A. Tomes, Esq.  
Tomes Law Firm, P.C.  
1 West Main Street, 3<sup>rd</sup> Fl.  
Freehold, NJ 07728  
P: (732) 333-0681  
F: (732) 333-0682

In Re:

Debra Shapiro, Debtor

Case No.: 20-10457

Chapter 13

Hearing Date: 06/10/2020

Judge: MBK

The undersigned, Frances A. Tomes, Esq., attorney for Dean Hecker, Individually and as Executor of the Estate of Marlene Hecker, the holder of a mortgage on debtor's residence located at 812-814 Old York Road, Raritan, NJ hereby objects to the Confirmation of the debtor's proposed Chapter 13 Plan on the following grounds:

1. Movant disputes the valuation of debtor's property of \$445,000.00.
2. Attached hereto as Exhibit A is the Notice of Abandonment by Chapter 7 Trustee Daniel Straffi, Esq., valuing the property at approximately \$600,000.00.
3. Attached as Exhibit B is a copy of a Zillow evaluation of \$581,467.00.
4. Attached as Exhibit C is a copy of a Realtor.com evaluation of \$544,100.00.
5. Debtor is a realtor and thus appears to have obtained a low evaluation of the property solely for purposes of excluding creditor's claim to make it unsecured.
6. Debtor's Plan currently provides for payment to Movant in the amount of \$0.00.
7. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5). Movant objects to Debtor's Plan and the valuation. Debtor's Plan should be amended to fully fund the arrears owed to Movant. Confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, DEAN HECKER, Individually and as Executor of the Estate of Marlene Hecker, respectfully requests that the Confirmation of Debtor's Plan be denied.

Dated: May 19, 2020

/s/ Frances A. Tomes  
Frances A. Tomes, Esq.  
Tomes Law Firm, P.C.  
1 West Main Street, 3<sup>rd</sup> Fl.  
Freehold, NJ 07728  
Tel: 732-333-0681  
Fax: 732-333-0682  
Email: Ftomes@tomeslawfirm.com

# EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re:

Shapiro, Jeffrey A.  
Shapiro, Debra S.

Case No.: 17-20737

Chapter: 7

Judge: KCF

**NOTICE OF PROPOSED ABANDONMENT**

Daniel E. Straffi, Trustee in this case proposes to abandon property of the estate described below as being of inconsequential value. If you object to the abandonment, you must file a written objection with the Clerk of the United States Bankruptcy Court and serve it on the party named below not later than 7 days before the hearing date.

Address of the Clerk: 402 East State Street  
Trenton, NJ 08608

If an objection is filed, a hearing will be held before the Honorable Kathryn C. Ferguson on September 10, 2019 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom no. 2. (Hearing date must be at least 28 days from the date of this notice). If no objection is filed, the abandonment shall take effect on entry by the clerk of a Certification of No Objection.

Description and value of property: 812-814 Old York Rd  
Raritan, NJ  
FMV - +/- \$600,000.00

Liens on property: M&T Bank - \$305,823.13  
PNC Bank- \$122,302.32  
Hecker Lien - \$208,000.00  
Total Liens- \$638,125.45  
Plus 10% Estimated Costs of Sale  
Abandoned as per Order of the Court dated July 17, 2019

Amount of equity claimed as exempt: \$-0-

Objections must be served on, and requests for additional information directed to:

Name: Daniel E. Straffi, Esq.

Address: 670 Commons Way Toms River, NJ 08755

Telephone No.: 732-341-3800

In re:  
Jeffrey A Shapiro  
Debra S Shapiro  
Debtors

Case No. 17-20737-KCF  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf905

Page 1 of 2  
Total Noticed: 38

Date Rcvd: Jul 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2019.

db/jdb +Jeffrey A Shapiro, Debra S Shapiro, 812-814 Old York Road, Somerville, NJ 08876-3835  
app +A. Akins Appraisal, 122 Clinton Rd., Fairfield, NJ 07004-2921  
acc +Bederson & Company, 347 Mt. Pleasant Avenue, West Orange, NJ 07052-2749  
ptcrd +Dean Hecker, 1 West Main St., Freehold, NJ 07728-2209  
cr +Federal National Mortgage Association, Robertson Anschutz & Schneid, P.L.,  
6409 Congress Ave., Suite 100, Boca Raton, FL 33487, UNITED STATES 33487-2853  
r +Ocwen Loan Servicing, LLC, Robertson, Anschutz & Schneid, P.L.,  
6409 Congress Avenue, Ste 100, Boca Raton, FL 33487-2853  
cr +Raritan Bay Realty, 1314 Englishtown Rd, Old Bridge, NJ 08857-1580  
+SANTANDER BANK, NATIONAL ASSOCIATION, Phelan Hallinan & Schmieg, PC, 400 Fellowship Road,  
Suite 100, Mt. Laurel, NJ 08054-3437  
517371182 American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
516847145 +Amex, P.O. Box 981537, El Paso, TX 79998-1537  
516847146 +Ar Resources Inc, 1777 Sentry Pkwy W, Blue Bell, PA 19422-2206  
516847147 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
(address filed with court: Bankamerica, Po Box 982238, El Paso, TX 79998)  
516847149 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298  
516847151 +David A. Stires Assoc., LLC, c/o Thomas Maxim, Esq., PO Box 6092,  
Bridgewater, NJ 08807-0092  
516847152 +Dean Hector, c/o Richard Gale, 4 Paragon Way, Suite 100, Freehold, NJ 07728-7805  
517387170 +Estate of Marlene Hecker and Dean Hecker, c/o Edward Hanratty, Tomes & Hanratty PC,  
1 West Main, Freehold NJ 07728-2209  
516847156 +Leslie Siegel, 1288 Colonial Way, Bridgewater, NJ 08807-1283  
516847159 +Ocwen Loan Servicing L, 12650 Ingenuity Dr, Orlando, FL 32826-2703  
518358643 +PHH Mortgage Corporation, RAS Citron, LLC, 130 Clinton Road, Suite 202,  
Fairfield, NJ 07004-2927  
516847160 +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747  
516847163 +Richard Breslin, 25 East Cliff Street, Somerville, NJ 08876-1910  
516847164 +Rudolph A Palombi Jr., 1300 Kuser Road, Trenton, NJ 08619-3837  
516847165 #+Seterus, PO Box 1077, Hartford, CT 06143-1077  
516847166 +Seterus Inc, 14523 Sw Millikan Way St, Beaverton, OR 97005-2352

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 25 2019 00:24:14 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 25 2019 00:24:11 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
516847150 E-mail/Text: bankrupt@choicerecovery.com Jul 25 2019 00:22:01 Choice Recovery,  
1550 Old Henderson Rd St, Columbus, OH 43220  
516847153 +E-mail/Text: bankruptcies@escallate.com Jul 25 2019 00:22:10 Escallate,  
5200 Stoneham Road, North Canton, OH 44720-1584  
516847154 +E-mail/Text: bankruptcy@fult.com Jul 25 2019 00:25:13 Fulton Bank,  
533 Fellowship Road #200, Mount Laurel, NJ 08054-3435  
516847155 +E-mail/Text: bankruptcy@fult.com Jul 25 2019 00:25:13 Fulton Bank, Loan Operations,  
PO Box 25226, Lehigh Valley, PA 18002-5226  
516847157 E-mail/Text: camanagement@mtb.com Jul 25 2019 00:23:43 M & T Bank, 1 Fountain Plz,  
Buffalo, NY 14203  
516847158 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 25 2019 00:24:11 Midland Funding,  
2365 Northside Dr Ste 30, San Diego, CA 92108-2709  
517298853 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 25 2019 00:24:11 Midland Funding LLC,  
PO Box 2011, Warren, MI 48090-2011  
516847161 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 25 2019 00:40:39 Portfolio Rc,  
120 Corporate Blvd Ste 1, Norfolk, VA 23502  
517370589 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 25 2019 00:40:26  
Portfolio Recovery Associates, LLC, c/o Citibank, N.A., POB 41067, Norfolk VA 23541  
517322014 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 25 2019 00:26:44  
Portfolio Recovery Associates, LLC, c/o The Home Depot, POB 41067, Norfolk VA 23541  
516847162 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 25 2019 00:40:26  
Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952  
516847167 E-mail/Text: bankruptcy@td.com Jul 25 2019 00:24:17 Td Bank N.a., 32 Chestnut St,  
Lewiston, ME 04240

TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516872394 Federal National Mortgage Association  
cr\* +PHH Mortgage Corporation., RAS Citron, LLC, 130 Clinton Road, Suite 202,  
Fairfield, NJ 07004-2927  
516847148\* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
(address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)

TOTALS: 1, \* 2, ## 0

District/off: 0312-3

User: admin  
Form ID: pdf905

Page 2 of 2  
Total Noticed: 38

Date Rcvd: Jul 24, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g) (4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 26, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2019 at the address(es) listed below:

Aleisha Candace Jennings on behalf of Creditor Ocwen Loan Servicing, LLC ajennings@rasflaw.com  
Aleisha Candace Jennings on behalf of Creditor PHH Mortgage Corporation. ajennings@rasflaw.com  
Brian E Caine on behalf of Creditor M&T BANK bcaine@parkermccay.com,  
BKcourtnotices@parkermccay.com  
Daniel E Straffi on behalf of Trustee Daniel E. Straffi bktrustee@straffilaw.com,  
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com;dstraffi@ecf.alexosfs.com  
Daniel E. Straffi bktrustee@straffilaw.com,  
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com;dstraffi@ecf.alexosfs.com  
Daniel E. Straffi on behalf of Trustee Daniel E. Straffi bkclient@straffilaw.com,  
G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com  
Edward Hanratty on behalf of Petitioning Creditor Dean Hecker thanratty@tomeslawfirm.com,  
ftomes@tomeslawfirm.com;G17018@notify.cincompass.com;meg@tomeslawfirm.com;arely@tomeslawfirm.com  
Kevin M. Buttery on behalf of Creditor Federal National Mortgage Association  
bkyefile@rasflaw.com  
Kirsten B. Ennis on behalf of Debtor Jeffrey A Shapiro pacerecf@ennislegal.com,  
r53278@notify.bestcase.com  
Kirsten B. Ennis on behalf of Joint Debtor Debra S Shapiro pacerecf@ennislegal.com,  
r53278@notify.bestcase.com  
Laura M. Eggerman on behalf of Creditor Federal National Mortgage Association  
bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com  
Nicholas V. Rogers on behalf of Creditor SANTANDER BANK, NATIONAL ASSOCIATION  
nj.bkecf@fedpne.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13

# EXHIBIT B

5/18/2020

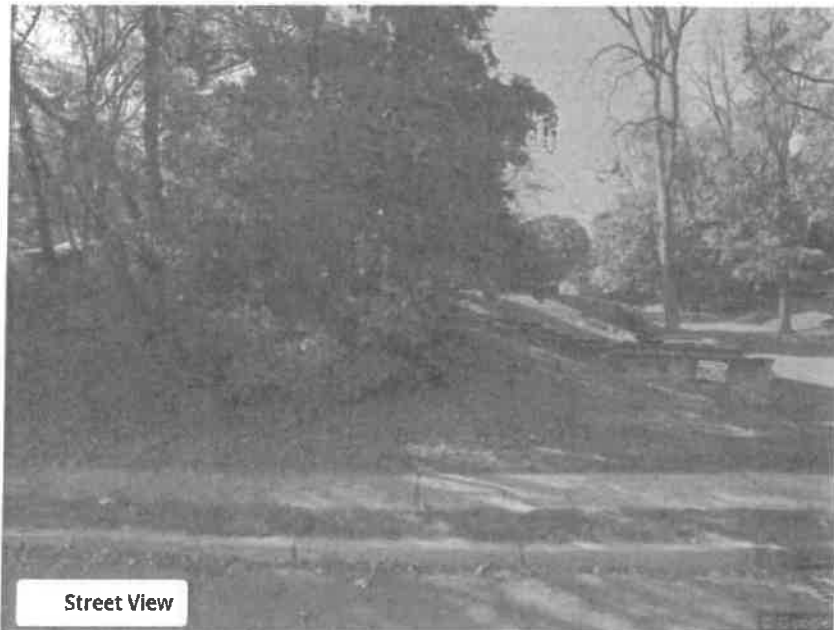
812-814 Old York Rd, Raritan, NJ 08869 | Zillow

CORRECT HOME FACTS SAVE SHARE MORE

CLOSE

Public View Owner View New Jersey · Raritan · 08869 · 08869 · 812-814 Old York Rd

Public View Owner View



Street View

Street View



3 ba 1,800 sqft



17 PROPERTIES

3 ba 2,037 sqft



## 812-814 Old York Rd Raritan, NJ 08869

OFF MARKET  
Zestimate®:  
\$581,467

Rent  
Zestimate®:  
\$3,000 /mo

Est. refi payment: \$

Get current rate

-- beds · -- baths ·  
3,568 sqft

812-814 Old York Rd, Raritan, NJ is a single family home that contains 3,568 sq ft and was built in 2004. The Zestimate for this house is \$581,467, which has increased by \$1,155 in the last 30 days. The Rent Zestimate for this home is \$3,000/mo, which has increased by \$206/mo in the last 30 days.

### Facts and Features

## Home Shoppers are Waiting



Ask an agent about market conditions in your neighborhood.

Your name

Phone

Email

I own this home and would like to ask an agent about selling 812-814 Old York Rd, Raritan, NJ 08869.

Contact Agent

Or call 732-831-7471 for more info

### Nearby Similar Sales

**SOLD: \$570,000**

Sold on 02/02/20

Studio, -- ba, 3,216 sqft

10a10b John F Goellner Dr, Raritan, NJ 08869

4 ba 2,078 sqft

4 ba 2,078 sqft



1 ba 1,020 sqft



# EXHIBIT C

5/18/2020

812 Old York Rd, Raritan, NJ 08869 - realtor.com®

realtor.com®

Log In

Sign Up

Advertise

Buy

Sell

Rent

Mortgage

Find Realtors®

My Home

News & Insights

Advertise



<

Address, City, Zip, or Neighborhood



Public

Owner



5/18/2020



1 / 20

Est. **\$544,100** ⓘ

View up to 3 home estimates



Map

**4** beds   **3.5** baths   **2,500** sq ft   **0.32** acres lot

Commute Time 812 Old York Rd, Raritan, NJ 08869

Edit Facts

Request a FREE Analysis

**Property Overview** - 812 Old York Rd, Raritan, NJ 08869 is a investment home built in 2004.

According to the Raritan public records, the property at 812 Old York Rd, Raritan, NJ 08869 has approximately 2,500

**48.05%**More expensive than  
nearby properties ⓘ**\$367,500**Neighborhood  
Median Price**\$2,083**

Rental Estimate ⓘ

## Own this home?

Check out your owner dashboard to:

- Track your home's value and comps
- Update the important details and photos
- Easily compare similar homes in your area

Claim your home

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FRANCES A. TOMES, ESQ.  
TOMES LAW FIRM, P.C.  
1 WEST MAIN STREET, 3RD FL.  
FREEHOLD, NJ 07728  
P: (732) 333-0681  
F: (732) 333-0682

In Re:

DEBRA SHAPIRO, debtor

Case No.: 20-10457-MBK

Chapter: 13

Adv. No.:

Hearing Date: 06/10/2020

Judge: MBK

**CERTIFICATION OF SERVICE**

1. I, Meg Kauth :

☐ represent \_\_\_\_\_ in this matter.

☒ am the secretary/paralegal for Frances A. Tomes, who represents  
Dean Hecker, creditor in this matter.

☐ am the \_\_\_\_\_ in this case and am representing myself.

2. On May 19, 2020, I sent a copy of the following pleadings and/or documents  
to the parties listed in the chart below.  
Objection to Confirmation of Plan

3. I certify under penalty of perjury that the above documents were sent using the mode of service  
indicated.

Date: 05/19/2020

/s/ Meg Kauth  
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Kirsten B. Ennis, Esq. Attn: Managing Agent, Officer or President 50 Division Street, Ste. 102 Somerville, NJ 08876	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
M&T Bank Attn: Managing Agent, Officer or President P.O. Box 619063 Dallas, TX 75261	Secured Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Mr. Copper Attn: Managing Agent, Officer or President 8950 Cypress Waters Blvd. Coppell, TX 75019	Secured Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
PHH Mortgage Attn: Managing Agent, Officer or President P.O. Box 5452 Mount Laurel, NJ 08054	Secured Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
PNC Bank Attn: Managing Agent, Officer or President 2730 Liberty Avenue Pittsburgh, PA 15222	Secured Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Wells Fargo, N.A. Attn: Managing Agent, Officer or President P.O. Box 10335 Des Moines, IA 50306	Secured Creditor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)